

Amendment

Applicant: Travis J. Parry

Serial No.: 10/037,867

Filed: October 24, 2001

Docket No.: 10006775-1

Title: NETWORK SYSTEM AND METHOD FOR AUTOMATIC POSTING OF DIGITAL IMAGES**REMARKS**

This is responsive to the Final Office Action mailed August 24, 2005. Claims 1-43 were rejected. With this Response, claims 1, 2, 4-6, 8, 9, 11-17, 20-22, 26-30, 32, 34, 37-39, and 42 have been amended. Claim 44 has been added. Claim 10 has been canceled. Claims 1-9 and 11-44 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1-17, 19-21, 24-29, 34, 37, 38, and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Savitzky et al., U.S. Patent No. 6,571,271 ("Savitzky") in view of Fredlund et al., U.S. Patent No. 6,812,962 ("Fredlund").

Applicant submits that Savitzky and Fredlund, either alone, or combination, fail to teach or suggest the invention of amended independent claims 1, 28, 37, and 38. Savitzky and Fredlund, both fail to disclose **printing the image on the printer and automatically posting the image to a network site via the printer in response to receiving the image as recited in claims 1 and 38, a printer configured to receive the image for printing and print the image and automatically post the image to a website according to a predefined posting criterion in response to receiving the image as recited in claim 28, and a printer including a system memory having predefined posting criterion stored therein, and a system controller configured to receive the image and print the image and automatically post the image to a website according to the predefined posting criterion in response to receiving the image as recited in claim 37.**

Rather, Savitzky discloses utilizing a kiosk system 500 that includes a user removing a memory card 502 from digital camera 120 and inserting the memory card 502 into a slot 506 in kiosk 504. Kiosk 504 will then automatically download the image stored on image memory card 502 to image server 100 comprising a hard disk 102 for image storage. (See Savitzky, col. 3, line 44-col. 4, line 6 and col. 2, lines 18-20). The images that are stored on hard disk drive 102 are then uploaded through Internet 510 to an image server 512. (See Savitzky, col. 4, lines 1-2). Thus, Savitzky discloses downloading images to a storage device of a computer and then uploading the images from the storage device to the Internet.

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Savitzky does not disclose any type of printer for both printing the image and automatically posting the image to a network site in response to receiving the image, as claimed in independent claims 1, 28, 37, and 38.

Fredlund discloses that digital images may be printed at a local retail kiosk where the digital image files are transferred to an internal computer or a printer. (See Fredlund, col. 1, lines 49-50). However, while a generic local printer is disclosed, Fredlund does not disclose both printing an image on the printer and automatically posting the image to a network site in response to receiving the image, as claimed in independent claims 1, 28, 37, and 38.

In view of the above, Applicant respectfully submits that the rejection to claims 1, 28, 37, and 38 under 35 U.S.C. § 103(a) should be withdrawn. Dependent claims 2-17, 19-21, 24-27, 29, 34, and 43 further define patentably distinct claim 1 or 28. Accordingly, Applicant respectfully submits that these dependent claims are also allowable over the cited references. Allowance of claims 1-17, 19-21, 24-29, 34, 37, 38, and 43 is respectfully requested.

Claims 18, 22, 23, 30-33, 35, and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Savitzky and Fredlund as applied to claims 5, 17, 19, and 28, and further in view of "ImageWeb Integrated Printer Web Server" ("ImageWeb").

Dependent claims 18, 22, 23, 30-33, 35, and 36 further define patentably distinct claim 1 or 28. Accordingly, Applicant respectfully submits that these dependent claims are also allowable over the cited references. Allowance of claims 18, 22, 23, 30-33, 35, and 36 is respectfully requested.

Claims 39-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over ImageWeb in view of Savitzky.

Applicant submits that ImageWeb and Savitzky, either alone, or in combination, fail to teach or suggest the invention of amended independent claim 39. ImageWeb and Savitzky fail to teach or suggest **printing options for selecting print criterion for printing the image on the printer in response to receiving the image for printing; and posting options for selecting posting criterion for posting the image from the printer to the network site in response to receiving the image for printing.**

The Examiner admits that ImageWeb fails to disclose posting options for selecting posting criterion for posting the image from the printer to the network site. (Office action, page 28). ImageWeb merely discloses a Web server incorporated directly into a printer that

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displays a graphical interface for printer administration, interactive Web based printing, monitoring of printer status, and on-line documentation. (See ImageWeb, Overview).

As previously discussed, Savitzky does not disclose a printer. In addition, Savitzky also does not disclose posting options for selecting posting criteria for posting the image from the printer to the network site when the image is received by the printer for printing, as claimed. Savitzky merely discloses uploading digital images and, optionally, captions and XML files.

In view of the above, Applicant respectfully submits that the rejection of claim 39 under 35 U.S.C. § 103(a) should be withdrawn. Dependent claims 40-42 further define patentably distinct claim 39. Accordingly, Applicant submits that these dependent claims are also allowable over the cited references. Allowance of claims 39-42 is respectfully requested.

Added Claim

Claim 44 has been added. Applicant submits claim 44 is also allowable over the cited references. Allowance of claim 44 is respectfully requested.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-9 and 11-44 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-9 and 11-44 is respectfully requested.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Jeff D. Limon at Telephone No. (541) 715-5979, Facsimile No. (541) 715-8581 or Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 17 day of November, 2005.

By Steven E. Dicke
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